
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

ENGINEERED ROOF DE-ICING, INC.,
a Utah limited liability company,

Plaintiff,

v.

VALIN CORPORATION, a California
corporation,

Defendant.

ORDER

Case No. 2:20-cv-00181-DBB-JCB

**District Judge David Barlow
Magistrate Judge Jared C. Bennett**

Before the court is Plaintiff's Motion for Leave to File and Serve Documents and Extension of Associated Deadlines.¹ On July 9, 2020, Plaintiff's counsel was permitted leave to withdraw as counsel in this case.² The court temporarily stayed this case for a period of 21 days upon counsel's withdrawal to provide Plaintiff time to obtain new counsel.³ The stay automatically lifted on July 30, 2020.⁴ Plaintiff's answer to Defendant's counterclaims was due on August 11, 2020, 12 days from the date the stay lifted. On August 12, 2020, Defendant filed a motion for default based on Plaintiff's failure to timely answer, plead, or otherwise respond to its counterclaims.⁵ On October 14, 2020, Judge Barlow held oral argument on Defendant's motion for default and denied the motion for the reasons stated on the record.⁶

¹ ECF No. 32. After addressing the Order to Show Cause, Judge Barlow referred the remaining issues of the instant motion to Judge Bennett. ECF No. 37.

² ECF No. 23.

³ *Id.*

⁴ *Id.*

⁵ ECF No. 26.

⁶ ECF Nos. 36, 38.

Based on the denial of Defendant's motion for default, and for the reasons stated in the instant motion, the court **GRANTS** Plaintiff's motion⁷ as follows.

1. Plaintiff shall file its answer to Defendant's counterclaims within 5 days from the date of this order.

2. Plaintiff shall also comply with Local Patent Rule 2.1 within 5 days from the date of this order.

3. Plaintiff shall comply with paragraph 2 of the Order to Propose Schedule⁸ within 14 days from the date of this order.

IT IS SO ORDERED.

DATED this 21st day of October 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Jared C. Bennett', written over a horizontal line.

Jared C. Bennett
United States Magistrate Judge

⁷ ECF No. 32.

⁸ ECF No. 5.